

# HOUSE BILL No. 1037

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-22-2-21; IC 6-1.1; IC 6-3-3-5.1; IC 6-3.1-22; IC 36-7.

**Synopsis:** Tax incentives and reporting. Authorizes the department of local government finance to incorporate by reference in an administrative rule certain formatting, coding, and transmission requirements for data that must be submitted by counties. Provides that a property owner is not entitled to the residential rehabilitation deduction for an increase in assessed value attributable to rehabilitation occurring after December 31, 2016. Provides that a property owner is not entitled to the rehabilitated property deduction for an increase in assessed value attributable to rehabilitation occurring after December 31, 2016. Provides that the state tax credit for contributions to the twenty-first century scholars program support fund may not be claimed for contributions made after December 31, 2016. Provides that for purposes of the residential historic rehabilitation tax credit: (1) qualified expenditures do not include expenditures made after December 31, 2016; and (2) a taxpayer may not claim the credit for an expenditure made after December 31, 2016. Specifies additional information that must be reported by each redevelopment commission to the unit's executive and fiscal body and to the department of local government finance.

**Effective:** July 1, 2016.

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January 5, 2016, read first time and referred to Committee on Ways and Means.

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

## HOUSE BILL No. 1037

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 4-22-2-21, AS AMENDED BY THE TECHNICAL  
2       CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS  
3       AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:  
4       Sec. 21. (a) If incorporation of the text in full would be cumbersome,  
5       expensive, or otherwise inexpedient, an agency may incorporate by  
6       reference into a rule part or all of any of the following matters:

7               (1) A federal or state statute, rule, or regulation.

8               (2) A code, manual, or other standard adopted by an agent of the  
9       United States, a state, or a nationally recognized organization or  
10      association.

11              (3) A manual of the department of local government finance  
12      adopted in a rule described in IC 6-1.1-31-9.

13              **(4) The following requirements:**

14                      **(A) The schedule, electronic formatting, and standard**  
15                      **data, field, and record coding requirements for:**

16                              **(i) the electronic data file under IC 6-1.1-4-25 concerning**  
17                              **the parcel characteristics and parcel assessments of all**



1 parcels and personal property return characteristics and  
2 assessments; and

3 (ii) the electronic data file under IC 36-2-9-20 concerning  
4 the tax duplicate.

5 (B) The schedule, electronic formatting, and standard data,  
6 field, and record coding requirements for data required to  
7 be submitted under IC 6-1.1-5.5-3 or IC 6-1.1-11-8.

8 (C) Data export and transmission format requirements for  
9 information described in clauses (A) and (B).

10 (b) Each matter incorporated by reference under subsection (a) must  
11 be fully and exactly described.

12 (c) An agency may refer to a matter that is directly or indirectly  
13 referred to in a primary matter by fully and exactly describing the  
14 primary matter.

15 (d) Whenever an agency submits a rule to the attorney general, the  
16 governor, or the publisher under this chapter, the agency shall also  
17 submit a copy of the full text of each matter incorporated by reference  
18 under subsection (a) into the rule, other than the following:

19 (1) An Indiana statute or rule.

20 (2) A form or instructions for a form numbered by the  
21 ~~commission on public records~~ **Indiana archives and record**  
22 **administration** under IC 5-15-5.1-6.

23 (3) The source of a statement that is quoted or paraphrased in full  
24 in the rule.

25 (4) Any matter that has been previously filed with the:

26 (A) secretary of state before July 1, 2006; or

27 (B) publisher after June 30, 2006.

28 (5) Any matter referred to in subsection (c) as a matter that is  
29 directly or indirectly referred to in a primary matter.

30 (e) An agency may comply with subsection (d) by submitting a  
31 paper or an electronic copy of the full text of the matter incorporated  
32 by reference.

33 SECTION 2. IC 6-1.1-12-18, AS AMENDED BY P.L.247-2015,  
34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 JULY 1, 2016]: Sec. 18. (a) **Subject to subsection (e)**, if the assessed  
36 value of residential real property described in subsection (d) is  
37 increased because it has been rehabilitated, the owner may have  
38 deducted from the assessed value of the property an amount not to  
39 exceed the lesser of:

40 (1) the total increase in assessed value resulting from the  
41 rehabilitation; or

42 (2) eighteen thousand seven hundred twenty dollars (\$18,720) per



rehabilitated dwelling unit.

The owner is entitled to this deduction annually for a five (5) year period. ~~or if subsection (e) applies; the period established under subsection (e).~~

(b) For purposes of this section, the term "rehabilitation" means significant repairs, replacements, or improvements to an existing structure which are intended to increase the livability, utility, safety, or value of the property under rules adopted by the department of local government finance.

(c) For the purposes of this section, the term "owner" or "property owner" includes any person who has the legal obligation, or has otherwise assumed the obligation, to pay the real property taxes on the rehabilitated property.

(d) The deduction provided by this section applies only:

(1) for the rehabilitation of residential real property which is located within this state and which is described in one (1) of the following classifications:

(A) A single family dwelling if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed thirty-seven thousand four hundred forty dollars (\$37,440).

(B) A two (2) family dwelling if before rehabilitation the assessed value (excluding exemptions or deductions) of the improvements does not exceed forty-nine thousand nine hundred twenty dollars (\$49,920).

(C) A dwelling with more than two (2) family units if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed eighteen thousand seven hundred twenty dollars (\$18,720) per dwelling unit; and

(2) if the property owner:

(A) owns the residential real property; or

(B) is buying the residential real property under contract;

on the assessment date of the year in which an application must be filed under section 20 of this chapter.

~~(e) A county, city, or town fiscal body may adopt an ordinance to establish a deduction period that is longer than five (5) years but not to exceed fifteen (15) years for any rehabilitated property covered by this section that has also been determined to be abandoned or vacant for purposes of IC 6-1.1-24. A property owner is not entitled to a deduction under this section for an increase in assessed value attributable to rehabilitation occurring after December 31, 2016.~~



**(f) This section expires July 1, 2022.**

SECTION 3. IC 6-1.1-12-19, AS AMENDED BY P.L.112-2012, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 19. **(a) Subject to section 18(e) of this chapter,** the deduction from assessed value provided by section 18 of this chapter is first available in the year in which the increase in assessed value resulting from the rehabilitation occurs and shall continue for the following four (4) years. In the sixth (6th) year, the county auditor shall add the amount of the deduction to the assessed value of the real property. A:

- (1) general reassessment of real property under IC 6-1.1-4-4; or
- (2) reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2;

which occurs within the five (5) year period of the deduction does not affect the amount of the deduction.

**(b) This section expires July 1, 2022.**

SECTION 4. IC 6-1.1-12-20, AS AMENDED BY P.L.1-2009, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 20. (a) A property owner who desires to obtain the deduction provided by section 18 of this chapter must file a certified deduction application, on forms prescribed by the department of local government finance, with the auditor of the county in which the rehabilitated property is located. The application may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing. Except as provided in subsection (b) and subject to section 45 of this chapter, the application must be filed in the year in which the addition to assessed value is made.

(b) If notice of the addition to assessed value for any year is not given to the property owner before December 1 of that year, the application required by this section may be filed not later than thirty (30) days after the date such a notice is mailed to the property owner at the address shown on the records of the township or county assessor.

(c) The application required by this section shall contain the following information:

- (1) A description of the property for which a deduction is claimed in sufficient detail to afford identification.
- (2) Statements of the ownership of the property.
- (3) The assessed value of the improvements on the property before rehabilitation.
- (4) The number of dwelling units on the property.
- (5) The number of dwelling units rehabilitated.
- (6) The increase in assessed value resulting from the



rehabilitation.

(7) The amount of deduction claimed.

(d) **Subject to section 18(e) of this chapter**, a deduction application filed under this section is applicable for the year in which the increase in assessed value occurs and for the immediately following four (4) years without any additional application being filed.

(e) On verification of an application by the assessor of the township in which the property is located, or the county assessor if there is no township assessor for the township, the county auditor shall make the deduction.

**(f) This section expires July 1, 2022.**

SECTION 5. IC 6-1.1-12-22, AS AMENDED BY P.L.247-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 22. (a) **Subject to subsection (e)**, if the assessed value of property is increased because it has been rehabilitated and the owner has paid at least ten thousand dollars (\$10,000) for the rehabilitation, the owner is entitled to have deducted from the assessed value of the property an amount equal to fifty percent (50%) of the increase in assessed value resulting from the rehabilitation. The owner is entitled to this deduction annually for a five (5) year period. ~~or if subsection (e) applies, the period established under subsection (e).~~ However, the maximum deduction which a property owner may receive under this section for a particular year is:

(1) one hundred twenty-four thousand eight hundred dollars (\$124,800) for a single family dwelling unit; or

(2) three hundred thousand dollars (\$300,000) for any other type of property.

(b) For purposes of this section, the term "property" means a building or structure which was erected at least fifty (50) years before the date of application for the deduction provided by this section. The term "property" does not include land.

(c) For purposes of this section, the term "rehabilitation" means significant repairs, replacements, or improvements to an existing structure that are intended to increase the livability, utility, safety, or value of the property under rules adopted by the department of local government finance.

(d) The deduction provided by this section applies only if the property owner:

(1) owns the property; or

(2) is buying the property under contract;

on the assessment date of the year in which an application must be filed under section 24 of this chapter.



(e) A county, city, or town fiscal body may adopt an ordinance to establish a deduction period that is longer than five (5) years but not to exceed seven (7) years for any rehabilitated property covered by this section that has also been determined to be abandoned or vacant for purposes of IC 6-1.1-24. A property owner is not entitled to a deduction under this section for an increase in assessed value attributable to rehabilitation occurring after December 31, 2016.

**(f) This section expires July 1, 2022.**

SECTION 6. IC 6-1.1-12-23, AS AMENDED BY P.L.112-2012, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 23. (a) Subject to section 22(e) of this chapter, the deduction from assessed value provided by section 22 of this chapter is first available after the first assessment date following the rehabilitation and shall continue for the taxes first due and payable in the following five (5) years. In the sixth (6th) year, the county auditor shall add the amount of the deduction to the assessed value of the property. Any:

- (1) general reassessment of real property under IC 6-1.1-4-4; or
- (2) reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2;

which occurs within the five (5) year period of the deduction does not affect the amount of the deduction.

**(b) This section expires January 1, 2022.**

SECTION 7. IC 6-1.1-12-24, AS AMENDED BY P.L.113-2010, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 24. (a) A property owner who desires to obtain the deduction provided by section 22 of this chapter must file a certified deduction application, on forms prescribed by the department of local government finance, with the auditor of the county in which the property is located. The application may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing. Except as provided in subsection (b) and subject to section 45 of this chapter, the application must be filed in the year in which the addition to assessed valuation is made.

(b) If notice of the addition to assessed valuation for any year is not given to the property owner before December 1 of that year, the application required by this section may be filed not later than thirty (30) days after the date such a notice is mailed to the property owner at the address shown on the records of the township or county assessor.

(c) The application required by this section shall contain the following information:

- (1) The name of the property owner.



(2) A description of the property for which a deduction is claimed in sufficient detail to afford identification.

(3) The assessed value of the improvements on the property before rehabilitation.

(4) The increase in the assessed value of improvements resulting from the rehabilitation.

(5) The amount of deduction claimed.

(d) **Subject to section 22(e) of this chapter**, a deduction application filed under this section is applicable for the year in which the addition to assessed value is made and in the immediate following four (4) years without any additional application being filed.

(e) On verification of the correctness of an application by the assessor of the township in which the property is located, or the county assessor if there is no township assessor for the township, the county auditor shall make the deduction.

**(f) This section expires July 1, 2022.**

SECTION 8. IC 6-1.1-12-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 25. (a) For repairs or improvements made to a particular building or structure, a person may receive either the deduction provided by section 18 of this chapter or the deduction provided by section 22 of this chapter. ~~He~~ **The person** may not receive deductions under both sections for the repairs or improvements.

**(b) This section expires July 1, 2022.**

SECTION 9. IC 6-1.1-12-25.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 25.5. (a) If a deduction applied for under section 20 or 24 of this chapter is not granted in full, the county auditor shall notify the applicant by mail. A taxpayer may appeal a ruling that wholly or partially denies a deduction claimed under section 20 or 24 of this chapter in the same manner that appeals may be taken under IC 6-1.1-15.

**(b) This section expires July 1, 2022.**

SECTION 10. IC 6-1.1-12-46, AS AMENDED BY P.L.250-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 46. (a) This section applies to real property for an assessment date in 2011 or a later year if:

(1) the real property is not exempt from property taxation for the assessment date;

(2) title to the real property is transferred after the assessment date and on or before the December 31 that next succeeds the assessment date;

(3) the transferee of the real property applies for an exemption





under IC 6-1.1-11 for the next succeeding assessment date; and  
 (4) the county property tax assessment board of appeals  
 determines that the real property is exempt from property taxation  
 for that next succeeding assessment date.

(b) For the assessment date referred to in subsection (a)(1), real  
 property is eligible for any deductions for which the transferor under  
 subsection (a)(2) was eligible for that assessment date under the  
 following:

- (1) IC 6-1.1-12-1.
- (2) IC 6-1.1-12-9.
- (3) IC 6-1.1-12-11.
- (4) IC 6-1.1-12-13.
- (5) IC 6-1.1-12-14.
- (6) IC 6-1.1-12-16.
- (7) IC 6-1.1-12-17.4 (before its expiration).
- (8) IC 6-1.1-12-18 **(before its expiration)**.
- (9) IC 6-1.1-12-22 **(before its expiration)**.
- (10) IC 6-1.1-12-37.
- (11) IC 6-1.1-12-37.5.

(c) For the payment date applicable to the assessment date referred  
 to in subsection (a)(1), real property is eligible for the credit for  
 excessive residential property taxes under IC 6-1.1-20.6 for which the  
 transferor under subsection (a)(2) would be eligible for that payment  
 date if the transfer had not occurred.

SECTION 11. IC 6-1.1-12.1-6 IS AMENDED TO READ AS  
 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) A property owner  
 may not receive a deduction under this chapter for repairs or  
 improvements to real property if he receives a deduction under either  
 IC 6-1.1-12-18 **(before its expiration)** or IC 6-1.1-12-22 **(before its  
 expiration)** for those same repairs or improvements.

(b) A property owner may not receive a deduction under this chapter  
 if the property owner receives a deduction under IC 6-1.1-12-28.5 for  
 the same property.

SECTION 12. IC 6-1.1-15-1, AS AMENDED BY THE  
 TECHNICAL CORRECTIONS BILL OF THE 2016 GENERAL  
 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 JULY 1, 2016]: Sec. 1. (a) *Except as provided in section 1.5 of this  
 chapter*, a taxpayer may obtain a review by the county board of a  
 county or township official's action with respect to *either or both any  
 of the following, or any combination of the following*:

- (1) The assessment of the taxpayer's tangible property.
- (2) A deduction for which a review under this section is



authorized by any of the following:

(A) IC 6-1.1-12-25.5 **(before its expiration)**.

(B) IC 6-1.1-12-28.5.

(C) IC 6-1.1-12-35.5.

(D) IC 6-1.1-12.1-5.

(E) IC 6-1.1-12.1-5.3.

(F) IC 6-1.1-12.1-5.4.

(3) *A determination concerning a common area under IC 6-1.1-10-37.5.*

(b) At the time that notice of an action referred to in subsection (a) is given to the taxpayer, the taxpayer shall also be informed in writing of:

(1) the opportunity for a review under this section, including a preliminary informal meeting under subsection (h)(2) with the county or township official referred to in this subsection; and

(2) the procedures the taxpayer must follow in order to obtain a review under this section.

(c) In order to obtain a review of an assessment or deduction effective for the assessment date to which the notice referred to in subsection (b) applies, the taxpayer must file a notice in writing with the county or township official referred to in subsection (a) not later than forty-five (45) days after the date of the notice referred to in subsection (b).

(d) A taxpayer may obtain a review by the county board of the assessment of the taxpayer's tangible property effective for an assessment date for which a notice of assessment is not given as described in subsection (b). To obtain the review, the taxpayer must file a notice in writing with the township assessor, or the county assessor if the township is not served by a township assessor. The right of a taxpayer to obtain a review under this subsection for an assessment date for which a notice of assessment is not given does not relieve an assessing official of the duty to provide the taxpayer with the notice of assessment as otherwise required by this article. The notice to obtain a review must be filed not later than the later of:

(1) May 10 of the year; or

(2) forty-five (45) days after the date of the tax statement mailed by the county treasurer, regardless of whether the assessing official changes the taxpayer's assessment.

(e) A change in an assessment made as a result of a notice for review filed by a taxpayer under subsection (d) after the time prescribed in subsection (d) becomes effective for the next assessment date. A change in an assessment made as a result of a notice for review



1 filed by a taxpayer under subsection (c) or (d) remains in effect from  
 2 the assessment date for which the change is made until the next  
 3 assessment date for which the assessment is changed under this article.

4 (f) The written notice filed by a taxpayer under subsection (c) or (d)  
 5 must include the following information:

6 (1) The name of the taxpayer.

7 (2) The address and parcel or key number of the property.

8 (3) The address and telephone number of the taxpayer.

9 (g) The filing of a notice under subsection (c) or (d):

10 (1) initiates a review under this section; and

11 (2) constitutes a request by the taxpayer for a preliminary  
 12 informal meeting with the official referred to in subsection (a).

13 (h) A county or township official who receives a notice for review  
 14 filed by a taxpayer under subsection (c) or (d) shall:

15 (1) immediately forward the notice to the county board; and

16 (2) attempt to hold a preliminary informal meeting with the  
 17 taxpayer to resolve as many issues as possible by:

18 (A) discussing the specifics of the taxpayer's assessment or  
 19 deduction;

20 (B) reviewing the taxpayer's property record card;

21 (C) explaining to the taxpayer how the assessment or  
 22 deduction was determined;

23 (D) providing to the taxpayer information about the statutes,  
 24 rules, and guidelines that govern the determination of the  
 25 assessment or deduction;

26 (E) noting and considering objections of the taxpayer;

27 (F) considering all errors alleged by the taxpayer; and

28 (G) otherwise educating the taxpayer about:

29 (i) the taxpayer's assessment or deduction;

30 (ii) the assessment or deduction process; and

31 (iii) the assessment or deduction appeal process.

32 (i) Not later than ten (10) days after the informal preliminary  
 33 meeting, the official referred to in subsection (a) shall forward to the  
 34 county auditor and the county board the results of the conference on a  
 35 form prescribed by the department of local government finance that  
 36 must be completed and signed by the taxpayer and the official. *The*  
 37 *official referred to in subsection (a) must attest on the form that the*  
 38 *official described to the taxpayer the taxpayer's right to a review of the*  
 39 *issues by the county board under this chapter and the taxpayer's right*  
 40 *to appeal to the Indiana board of tax review and to the Indiana tax*  
 41 *court.* The form must indicate the following:

42 (1) *Notwithstanding section 2.5 of this chapter,* if the taxpayer



and the official agree on the resolution of all assessment or deduction issues in the review, a statement of:

(A) those issues; and

(B) the assessed value of the tangible property or the amount of the deduction that results from the resolution of those issues in the manner agreed to by the taxpayer and the official.

(2) If the taxpayer and the official do not agree on the resolution of all assessment or deduction issues in the review:

(A) a statement of those issues; and

(B) the identification of:

(i) the issues on which the taxpayer and the official agree; and

(ii) the issues on which the taxpayer and the official disagree.

*(1) If the taxpayer and the official agree on the resolution of all assessment or deduction issues in the review, a statement of:*

*(A) those issues; and*

*(B) the assessed value of the tangible property or the amount of the deduction that results from the resolution of those issues in the manner agreed to by the taxpayer and the official.*

*(2) If the taxpayer and the official do not agree on the resolution of all assessment or deduction issues in the review:*

*(A) a statement of those issues; and*

*(B) the identification of:*

*(i) the issues on which the taxpayer and the official agree; and*

*(ii) the issues on which the taxpayer and the official disagree.*

(j) If the county board receives a form referred to in subsection

(i)(1) before the hearing scheduled under subsection (k):

(1) the county board shall cancel the hearing;

(2) the county official referred to in subsection (a) shall give notice to the taxpayer, the county board, the county assessor, and the county auditor of the assessment or deduction in the amount referred to in subsection (i)(1)(B); and

(3) if the matter in issue is the assessment of tangible property, the county board may reserve the right to change the assessment under IC 6-1.1-13.

(k) If:

(1) subsection (i)(2) applies; or

(2) the county board does not receive a form referred to in subsection (i) not later than one hundred twenty (120) days after



the date of the notice for review filed by the taxpayer under subsection (c) or (d);

the county board shall hold a hearing on a review under this subsection not later than one hundred eighty (180) days after the date of that notice. The county board shall, by mail, give at least thirty (30) days notice of the date, time, and place fixed for the hearing to the taxpayer, *the taxpayer's representative (if any)*, and the county or township official with whom the taxpayer filed the notice for review. The taxpayer and the county or township official with whom the taxpayer filed the notice for review are parties to the proceeding before the county board. A taxpayer may request a continuance of the hearing by filing, at least twenty (20) days before the hearing date, a request for continuance with the board and the county or township official with evidence supporting a just cause for the continuance. The board shall, not later than ten (10) days after the date the request for a continuance is filed, either find that the taxpayer has demonstrated a just cause for a continuance and grant the taxpayer the continuance, or deny the continuance. A taxpayer may request that the board take action without the taxpayer being present and that the board make a decision based on the evidence already submitted to the board by filing, at least eight (8) days before the hearing date, a request with the board and the county or township official. A taxpayer may withdraw a petition by filing, at least eight (8) days before the hearing date, a notice of withdrawal with the board and the county or township official.

(l) At the hearing required under subsection (k):

- (1) the taxpayer may present the taxpayer's reasons for disagreement with the assessment or deduction; and
- (2) the county or township official with whom the taxpayer filed the notice for review must present:

- (A) the basis for the assessment or deduction decision; and
- (B) the reasons the taxpayer's contentions should be denied.

A penalty of fifty dollars (\$50) shall be assessed against the taxpayer if the taxpayer or representative fails to appear at the hearing and, under subsection (k), the taxpayer's request for continuance is denied, or the taxpayer's request for continuance, request for the board to take action without the taxpayer being present, or withdrawal is not timely filed. A taxpayer may appeal the assessment of the penalty to the Indiana board or directly to the tax court. The penalty may not be added as an amount owed on the property tax statement under IC 6-1.1-22 or IC 6-1.1-22.5.

(m) The official referred to in subsection (a) may not require the taxpayer to provide documentary evidence at the preliminary informal



meeting under subsection (h). The county board may not require a taxpayer to file documentary evidence or summaries of statements of testimonial evidence before the hearing required under subsection (k). If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

(1) Initiate the review.

(2) Prosecute the review.

(n) The county board shall prepare a written decision resolving all of the issues under review. *The written decision may be in the form of a stipulated determination under section 2.5 of this chapter.* The county board shall, by mail, give notice of its determination not later than:

(1) one hundred twenty (120) days after the hearing under subsection (k); or

(2) *thirty (30) days after an entry of a stipulated determination under section 2.5 of this chapter;*

to the taxpayer, the official referred to in subsection (a), the county assessor, and the county auditor.

(o) If the maximum time elapses:

(1) under subsection (k) for the county board to hold a hearing; or

(2) under subsection (n) for the county board to give notice of its determination;

the taxpayer may initiate a proceeding for review before the Indiana board by taking the action required by section 3 of this chapter at any time after the maximum time elapses.

SECTION 13. IC 6-1.1-42-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 22. (a) The designating body shall determine whether to approve a deduction.

(b) A designating body may not grant a deduction for a facility described in IC 6-1.1-12.1-3(e).

(c) A property owner may not receive a deduction under this chapter for repairs or improvements to real property if the owner receives a deduction under either IC 6-1.1-12.1, IC 6-1.1-12-18 **(before its expiration)**, IC 6-1.1-12-22 **(before its expiration)**, or IC 6-1.1-12-28.5 for the same property.

(d) A designating body may approve a deduction only if the following findings are made in the affirmative:

(1) The applicant:

(A) has never had an ownership interest in an entity that contributed; and

(B) has not contributed;



a contaminant (as defined in IC 13-11-2-42) that is the subject of the voluntary remediation, as determined under the written standards adopted by the department of environmental management.

(2) The proposed improvement or property will be located in a zone.

(3) The estimate of the value of the remediation and redevelopment is reasonable for projects of that nature.

(4) The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described remediation and redevelopment.

(5) The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed described remediation and redevelopment.

(6) Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed described remediation and redevelopment.

(7) The totality of benefits is sufficient to justify the deduction.

SECTION 14. IC 6-3-3-5.1, AS AMENDED BY P.L.2-2007, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5.1. (a) At the election of the taxpayer, a credit against the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year is permitted in an amount (subject to the applicable limitations provided by this section) equal to fifty percent (50%) of the aggregate amount of contributions made by the taxpayer during the taxable year to the twenty-first century scholars program support fund established under IC 21-12-7-1.

(b) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this section for any taxable year may not exceed:

- (1) one hundred dollars (\$100) in the case of a single return; or
- (2) two hundred dollars (\$200) in the case of a joint return.

(c) In the case of a taxpayer that is a corporation, the amount allowable as a credit under this section for any taxable year may not exceed the lesser of the following amounts:

- (1) Ten percent (10%) of the corporation's total adjusted gross income tax under IC 6-3-1 through IC 6-3-7 for the taxable year (as determined without regard to any credits against that tax).
- (2) One thousand dollars (\$1,000).

(d) The credit permitted under this section may not exceed the



amount of the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

**(e) A credit may not be claimed under this section for a contribution made after December 31, 2016.**

**(f) This section expires January 1, 2018.**

SECTION 15. IC 6-3.1-22-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. (a) As used in this chapter, "qualified expenditures" means expenditures for preservation or rehabilitation of a structure that enables the structure to be principally used and occupied by the taxpayer as the taxpayer's residence.

(b) The term does not include costs that are incurred to do the following:

- (1) Acquire a property or an interest in a property.
- (2) Pay taxes due on a property.
- (3) Enlarge an existing structure.
- (4) Pay realtors' fees associated with a structure or property.
- (5) Pay paving and landscaping costs.
- (6) Pay sales and marketing costs.

**(c) The term does not include an expenditure made after December 31, 2016.**

SECTION 16. IC 6-3.1-22-8, AS AMENDED BY P.L.166-2014, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. (a) Subject to section 14 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability in the taxable year in which the taxpayer completes the preservation or rehabilitation of historic property and obtains the certifications required under section 9 of this chapter.

(b) The amount of the credit is equal to twenty percent (20%) of the qualified expenditures that:

- (1) the taxpayer makes for the preservation or rehabilitation of historic property; and
- (2) **subject to subsection (d)**, are approved by the office.

(c) In the case of a husband and wife who:

- (1) own and rehabilitate a historic property jointly; and
- (2) file separate tax returns;

the husband and wife may take the credit in equal shares or one (1) spouse may take the whole credit.

**(d) The office may not under this section approve an expenditure made after December 31, 2016.**





1 SECTION 17. IC 6-3.1-22-10, AS AMENDED BY P.L.166-2014,  
 2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2016]: Sec. 10. (a) **Subject to subsection (c)**, the office shall  
 4 provide the certifications referred to in section 9(3) and 9(4) of this  
 5 chapter if a taxpayer's proposed preservation or rehabilitation plan  
 6 complies with the standards of the office and the taxpayer's  
 7 preservation or rehabilitation work complies with the plan.

8 (b) The taxpayer may appeal a final determination by the office  
 9 under this chapter to the tax court.

10 (c) **The office may not provide the certifications referred to in**  
 11 **section 9(3) and 9(4) of this chapter for an expenditure made after**  
 12 **December 31, 2016.**

13 SECTION 18. IC 6-3.1-22-15 IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 15. (a) **Subject to**  
 15 **section 10(c) of this chapter and subsection (b)**, the amount of tax  
 16 credits allowed under this chapter may not exceed two hundred fifty  
 17 thousand dollars (\$250,000) in a state fiscal year beginning July 1,  
 18 2001, or thereafter.

19 (b) **A taxpayer may not claim a credit under this chapter for an**  
 20 **expenditure made after December 31, 2016.**

21 SECTION 19. IC 36-7-14-13, AS AMENDED BY P.L.87-2015,  
 22 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2016]: Sec. 13. (a) Not later than April 15 of each year, the  
 24 redevelopment commissioners or their designees shall file with the  
 25 unit's executive and fiscal body a report setting out their activities  
 26 during the preceding calendar year.

27 (b) The report of the commissioners of a municipal redevelopment  
 28 commission must show the names of the then qualified and acting  
 29 commissioners, the names of the officers of that body, the number of  
 30 regular employees and their fixed salaries or compensation, the amount  
 31 of the expenditures made during the preceding year and their general  
 32 purpose, an accounting of the tax increment revenues expended by any  
 33 entity receiving the tax increment revenues as a grant or loan from the  
 34 commission, the amount of funds on hand at the close of the calendar  
 35 year, and other information necessary to disclose the activities of the  
 36 commissioners and the results obtained.

37 (c) The report of the commissioners of a county redevelopment  
 38 commission must show all the information required by subsection (b),  
 39 plus the names of any commissioners appointed to or removed from  
 40 office during the preceding calendar year.

41 (d) A copy of each report filed under this section must be submitted  
 42 to the department of local government finance in an electronic format.



(e) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

(1) Revenues received.

(2) Expenses paid.

(3) Fund balances.

(4) The amount and maturity date for all outstanding obligations.

(5) The amount paid on outstanding obligations.

(6) A list of all the parcels included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel in the list.

**(7) To the extent that the following information has not previously been provided to the department of local government finance:**

**(A) The year in which the tax increment financing district was established.**

**(B) The section of the Indiana Code under which the tax increment financing district was established.**

**(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.**

**(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.**

**(E) The date on which the tax increment financing district will expire.**

**(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.**

(f) A redevelopment commission and a department of redevelopment are subject to the same laws, rules, and ordinances of a general nature that apply to all other commissions or departments of the unit.

SECTION 20. IC 36-7-15.1-36.3, AS AMENDED BY P.L.87-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 36.3. (a) Not later than April 15 of each year, the commission or its designee shall file with the mayor and the fiscal body a report setting out the commission's activities during the preceding calendar year.

(b) The report required by subsection (a) must show the names of the then qualified and acting commissioners, the names of the officers



of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commission and the results obtained.

(c) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(d) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

(1) Revenues received.

(2) Expenses paid.

(3) Fund balances.

(4) The amount and maturity date for all outstanding obligations.

(5) The amount paid on outstanding obligations.

(6) A list of all the parcels included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel in the list.

**(7) To the extent that the following information has not previously been provided to the department of local government finance:**

**(A) The year in which the tax increment financing district was established.**

**(B) The section of the Indiana Code under which the tax increment financing district was established.**

**(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.**

**(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.**

**(E) The date on which the tax increment financing district will expire.**

**(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.**

